

Message Text

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ACTION ACDA-10

INFO OCT-01 EUR-12 IO-13 ISO-00 PM-05 FEA-01 CIAE-00
INR-07 L-03 NSAE-00 NSC-05 EB-08 NRC-05 OES-07
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R 171413Z AUG 77
FM AMEMBASSY VIENNA
TO SECSTATE WASHDC 2957
INFO USERDA HQ WASHDC
USERDA HQ GERMANTOWN
USMISSION GENEVA

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GENEVA FOR USSALT TWO (MCNEILL); ALSO FOR MISSION, PASS
CCD DEL

EO 11652: NA
TAGS: IAEA, PARM, TECH
SUBJECT: IAEA AD HOC ADVISORY GROUP ON NUCLEAR EXPLOSIONS FOR PEACE-
FUL
PURPOSES: REPORT OF MEETINGS 11 AND 12 AUGUST 1977

REF: (A) VIENNA 7377, (B) VIENNA 7237, (C) VIENNA 7277,
(D) VIENNA 7338, (E) VIENNA 7243, (F) STATE 190805,
(G) STATE 184387

SUMMARY: REPORT FOLLOWS OF RESULTS OF AM AND PM MEETINGS
ON AUGUST 11 AND 12. END SUMMARY.

1. DURING PM MEETING ON 12 AUGUST 1977 GROUP COMPLETED
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WORK ON ITS REPORT AND ON A MEMO TRANSMITTING THE REPORT
TO THE BOARD OF GOVERNORS. THE CLOSING OF THE MEETING
WAS REPORTED IN REFTEL A. REFTELS B, C AND D REPORTED,
RESPECTIVELY, ON THE MEETINGS ON AUGUST 8, 9 AND 10.
THE FOLLOWING PARAGRAPHS REPORT ON THE MEETINGS (AM
AND PM) ON AUGUST 11 AND 12. REPORT ON DELEGATION
STATEMENTS AND ON TRANSMITTAL MEMO PROVIDED SEPTTEL.

2. CHAPTER 1 (OF GOV/COM.23/28).

A. PARA 3. THE GROUP, HAVING COMPLETED THE TEXT OF THE REPORT, AGREED TO REMOVAL OF THE BRACKETS IN THE FIFTH LINE OF TEXT AROUND THE WORDS QUOTE AND WAS ADOPTED BY CONSENSUS END QUOTE.

B. PARA 4, FOURTH SENTENCE. AS REPORTED IN PARA 3 OF REFTEL E, THIS SENTENCE HAD BEEN ACCEPTED BY GROUP, WITH ONLY INDIA AND THE U.S.M. RESERVING. ON AUGUST 11 INDIA WITHDREW ITS RESERVATIONS, STATING THAT INDIA DID NOT WISH TO HOLD UP THE REPORT WITH RESPECT TO STATEMENTS IN THE REPORT REGARDING TREATIES, E.G., THE NPT, TO WHICH INDIA WAS NOT A PARTY. ON AUGUST 12 IN ACCORDANCE WITH INSTRUCTIONS IN PARA 3 OF REFTEL F, U.S. REPS WITHDREW RESERATION AND GROUP ACCEPTED WORDS INCLUDING QUOTE ONLY END QUOTE AS CONTAINED IN PARA 3 OF REFTEL E.

C. PARA 8. ON 12 AUGUST GROUP ACCEPTED EDITORIAL CHANGE IN LINE 5 FROM QUOTE LEGAL INSTRUMENTS END QUOTE TO QUOTE ARRANGEMENTS END QUOTE TO CONFORM TO AGREED TITLE OF CHAPTER 8.

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3. CHAPTER 3.

A. PARA 4 (NEW). THE TEXT OF THIS NEW PARA AS REPORTED IN PARA 3.C OF REFTEL C AND MODIFIED AS REPORTED IN PARA 1 OF REFTEL A WAS AGRED TO BY GROUP. IN AGREEING TO THE MODIFIED TEXT THE EGYPTIAN REP STATEED FOR THE RECORD THAT THE GOE CONTINUES TO BELIEVE THEIR PROPOSED TEXT (PARA 3.C, REFTEL C) TO BE CORRECT AND THAT HE WAS AGREEING TO MODIFIED TEXT ONLY BECAUSE TIME AD RONE OUT. THE ROMANIAN REP MADE A SIMILAR STATEMENT. THE MEXICAN AND ITALIAN REPS STATED FOR THE RCORD THAT THEY SUBSCRIBED TO THE EGYPTIAN AND ROMANIAN STATEMENTS.

B. PARA 12. THE GROUP ACCEPTED AN EDITORIAL CHANGE IN LINE 4 TO REPLACE QUOTE AND END QUOTE WITH QUOTE TOGETHER WITH END QUOTE.

C. PARAS 26 AND 27. IN PRE-MEETING CONSULTATIONS ON AUGUST 12 U.S. REPS ADVISED INDIAN REPS

THAT WE COULD NOT AGREE TO DELETION OF THESE TWO

PARAS (PER INSTRUCTIONS PARA 3.E OF REFTEL G) AND
INDIAN REPS AGREED TO THEIR INCLUSION. IN MEETING
INDIAN REP STATED THEY HAD NO OBJECTION TO THE
INCLUSION OF THESE PARAS, COMPLETING GROUP AGREEMENT
TO THEIR RETENTION.

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4. CHAPTER 7.

A. PARA 1, FOOTNOTE. THE DEFINITION OF INTERNATIONAL
SERVICE FOR NEPP, REPORTED PARA 8 OF REFTEL D WAS
DISCUSSED FURTHER WITH AGREEMENT REACHED TO INCLUDE
IT AS A FOOTNOTE TO CHAPTER 7. THE AGREED FORMULATION
INCORPORATING CHANGES BY U.S., SWEDEN AND THE
CHAIRMAN IS QUOTE FOR PURPOSES OF THIS REPORT THE
PHRASE INNER QUOTE AN INTERNATIONAL SERVICE FOR NUCLEAR
EXPLOSIONS FOR PEACEFUL PURPOSES END INNER QUOTE IS
TAKEN TO MEAN, WITHOUT IMPLYING A STRICT DEFINITION,
ARRANGEMENTS, WITHIN THE FRAMEWORK OF THE INTER-
NATIONAL ATOMIC ENERGY AGENCY, FOR MAKING AVAILABLE
PNE-PROJECT SERVICES TO ANY STATE UNDER APPROPRIATE
INTERNATIONAL OBSERVATION AND THROUGH APPROPRIATE

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INTERNATIONAL PROCEDURES, END QUOTE.

B. PARA .4. THE GROUP ACCEPTED AN IEDITORIAL CORECTION
TO LINE 8 CHANGING QUOTE LEGQL INSTRUCMENTS END
QUOTE TO QUOTE INTERNATIONAL ARRANGEMENTS END QUOTE.

5. CHAPTERS 8 AND 9 TITLES. THE GROUP ACCEPTED THE
FRENCH PROPOSAL TO MOVE THE PYRASE QUOTE FOR PROVIDING
NEPP END QUOTE TO THE END OF EACH TITLE AND THE U.S.
PROPOSAL TO SET OFF WITH COMMAS THE PHRASE QUOTE IN
ACCORDANCE WITH..DOCUMENTS END QUOTE.

6. CHAPTER 8.

A. PARA 4. THE CONCULSTATIONS REFERRED TO IN
PAA 1.C OF REFTEL C RESULTED IN THE FOLLOWING TEXT
TO REPLACE THE EXISTING FIRST TWO SENTENCES QUOTE ALL
STATES SHOULD BE GIVEN THE OPPORTUNITY TO PARTICIPATE,
AS APPROPRIATE, IN ANY NEGOTIATION OF THE INTERNATIONAL
ARRANGEMENTS. THEY SHOULD ALSO HVE THE RIGHT OF ACCESS
TO THE PNE PROJECT SERVICES PROVIDED UNDER SUCH
ARRANGEMENTS, WHEN ESTABLISHED. END QUOTE. THE
GROUP AGREED.

B. PARA 5. IN PRE-MEETING CONCULTATIONS ON AUGUST 12
WITH THE CHAIRMAN AND REPS OF INDIA AND ARGENTINA
U.S. REPS, PER INSTRUCTIONS PARA 4 OF REFTEL F, STATED
THAT U.S. COULD NOT JOIN CONSENSUS IF ORIGINAL PARA
5 WAS NOT INCLUDED. INDIAN AND ARGENTINE REPS
INDICATED THEIR GOVERNMENTS WOULD PROBABLY REQUIRE
FOOTNOTE (CONTAINED IN GOV/COM.23/60, PAGE 16). IN
MEETING U.S. REP STATED ITS REQUIREMENT THAT
ORIGINAL PARA BE ETAINED AND WAS SUPPORTED BY
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JAPAN AND USSR. JAPAN EXPRESSED PREFERENCE TO
INCLUDE BOTH THE ORIGINAL PARA T5 AND THE TEXT PRROPOSED
AS A REPLACEMENT AND REPORTED IN PARA 4 OF REFTEL E.
INDIA RQUESTED THE FOOTNOTE AND AREENGINA ASKED
TO BE ASSOCIATED WITH FOOTNOTE. GROUP AGREED TO
RETAIN ORIGINAL PARA 5 WITH INDIAN/ARGENTINA FOOTNOTE
PLUS, AS SEPARATE PARA, THE TEXT REPORTED IN PARA 4 OF
RFTEL E. THE GROUP ALSO AGREED WITH THE CHAIRMAN'S
SUGGESTION (PRIVATELY REQUESTED BY INDIAN REP) THAT

INDIA AND ARGENTINA SHOULD BE FREE TO WITHDRAW
THEIR RESPECTIVE ASSOCIATION WITH THE FOOTNOTE
(AND THE FOOTNOTE ITSELF, IF BOTH WITHDREW) UNTIL
SUCH TIME AS THE REPORT WAS PRINTED.

C. PARA 21. THE PROPOSED FRENCH-ROMANIAN CHANGES
REPORTED IN PARA 1.J OF REFTDL D WERE AGREED BY
GROUP, WITH THE ADDITION TO SUBPARA B BEING CORRECTED
TO READ QUOTE THIS SCHEME COLD BE COMPLEMENTED BY...
END QUOTE.

7. CHAPTER 9.

A. PARA 5. SUBSEQUENT TO DISCUSSION REPORTED PARA
5.D AND E OF REFTDL D FRG REP PROPOSED CHANGES TO
PARA WHICH WITH MINOR AMENDMENTS WERE ACCEPTED BY GROUP
AS FOLLOWS: IN LINE 17 END SENTENCE AFTER QUOTE
OBLIGATIONS END QUOTE; ADD A NEW SENTENCE READING
QUOTE HOWEVER, SHOULD SUCH STATES PARTICIPATE IN THE
ELABORATION AND ADOPTION OF THE GENERAL
PRINCIPLES, THEY COULD BE EXPECTED TO CONFORM TO

THEM. END DUOQTE; DELETE THE NEXT SENTENCE
BEGINNING QUOTE THE ARRANGEMENTS...END QUOTE (FYI.
THIS POINT MOVED TO PARA 6. END FYI.); IN THE LAST

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ACTION ACDA-10

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R 171418Z AUG 77
FM AMEMBASSY VIENNA
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SENTENCE FOLLOWING QUOTE INFCIRC/169 END QUOTE INSERT
QUOTE AND THE APPROPRIATE INTERNATIONAL PROCEDURES
END QUOTE; AND ADD AT THE END OF THE SENTENCE QUOTE
OR PROCEDURE AGREEMENT. END QUOTE.

B. PARA 6. THE GROUP AGREED TO FRG PROPOSAL TO
REPLACE THE SECOND SENTENCE (DELETION OF THE FIRST
SENTENCE HAVING BEEN AGREED PREVIOUSLY) WITH QUOTE
UNDER THIS APPROACH IN THE ABSENCE OF LEGALLY
BINDING INNER QUOTE APPROPRIATE INTERNATIONAL
PROCEDURES, END INNER QUOTE THE INTERNATIONAL
ARRANGEMENTS AND PROCEDURES MIGHT NOT BE THE SAME
FOR ALL INTERNATIONAL PNE-PROJECT SERVICES,
ESPECIALLY IN THE CASE OF BILATERAL PROJECT AGREEMENTS.
DEVELOPMENTS ARISING OUT OF PRACTICAL EXPERIENCE
COULD BE READILY ACCOMMODATED. END QUOTE

C. NEW PARA 5 (TO PRECEDE THE EXISTING PARA 5).
SUBSEQUENT TO THE DISCUSSION REPORTED IN
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PARA 7 OF REFTEL D GROUP AGREED TO FOLLOWING NEW
PARA: QUOTE 5. THIS ALTERNATIVE WOULD IMPLY THAT
IT WOULD BE NECESSARY TO CONSIDER HOW TO BRING
ABOUT THE NEGOTIATION OF THE MULTILATERAL AGREEMENT.
ONE WAY MIGHT BE FOR THE AGENCY ITSELF TO CONVENE A
DIPLOMATIC CONFERENCE WITH A VIEW TO THE NEGOTIATION
OF AN INTERNATIONAL MULTINATIONAL AGREEMENT ESTABLISHING
THE NECESSARY BINDING PRINCIPLES AND PROCEDURES. THE
AGENCY MIGHT PROVIDE THE CONFERENCE WITH A
DRAFT AGREEMENT AS A BASIS FOR NEGOTIATION. END QUOTE.
D. PARA 21 (AS NUMBERED IN 23/28). THE GROUP AGREED
TO ADD AFTER THE FOURTH SENTENCE THE FOLLOWING
MODIFIED FRG PROPOSAL QUOTE IT WOULD, MOREOVER,
PROVIDE NO LEGALLY BINDING INNER QUOTE
APPROPRIATE INTERNATIONAL PROCEDURES, END INNER QUOTE
WHICH WOULD REMAIN TO BE DEVELOPED SEPARATELY. END
QUOTE. THE GROUP ALSO AGREED TO ADD, AS PROPOSED
BY FRANCE AND ITALY, AT THE END OF THE PARA THE FOLLOW-
ING QUOTE THIS ALTERNATIVE WOULD IMPLY THAT IT WOULD BE
NECESSARY FOR THE STATES CONCERNED TO DECIDE HOW TO

BRING ABOUT THE NEGOTIATION OF THE MEMORANDUM.

END QUOTE.

E. NEW PARA 13 (IMMEDIATELY BEFORE HEADING IV
MEMORANDUM OF UNDERSTANDING). SUBSEQUENT TO THE
DISCUSSION REPORTED IN PARA 7 OF REFTEL D THE GROUP
AGREED TO THE FOLLOWING NEW PARA. QUOTE 13.
ALTERNATIVES II OR III WOULD IMPLY THAT THE AGENCY
MIGHT BE INVOLVED IN DRAWING UP A COMPREHENSIVE LIST
OF GENERAL PRINCIPLES WHICH SHOULD GOVERN PNE
PROJECT SERVICES WITH A VIEW TO THE LIST BEING
ADOPTED BY THE APPROPRIATE ORGAN OF THE AGENCY AND
USED AS A BASIS FOR THE NEGOTIATION OF AGREEMENTS
INVOLVING THE AGENCY. END QUOTE. STONE
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Message Attributes

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